

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

[SEALED],

**Plaintiffs,**

CIVIL CASE NO. 3:17-cv-01040  
JUDGE TRAUGER

[SEALED],

## Defendants.

FILED IN CAMERA  
FILED UNDER SEAL

DECLARATION OF COUNSEL IN  
SUPPORT OF MOTION FOR  
EXENSION OF (1) TIME TO  
ELECT TO INTERVENE AND (2)  
THE SEAL

**DECLARATION OF COUNSEL IN SUPPORT OF MOTION FOR EXENSION OF (1)  
TIME TO ELECT TO INTERVENE AND (2) THE SEAL**

DECLARATION IN SUPPORT OF  
MOTION FOR (1) TIME TO ELECT TO  
INTERVENE AND (2) THE SEAL  
NO. 2-17-CV-01849

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ATTORNEY GENERAL OF WASHINGTON  
Medicaid Fraud Control Unit  
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Olympia, WA 98504-0114  
(360) 586-8888

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6           **IN THE UNITED STATES DISTRICT COURT**  
7           **FOR THE MIDDLE DISTRICT OF TENNESSEE**  
8           **NASHVILLE DIVISION**

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10           UNITED STATES OF AMERICA, ex  
11           rel. GREGG BECKER,

12           Plaintiffs,

13           v.  
14           COMMUNITY HEALTH SYSTEMS,  
15           INC., et al.,

16           Defendant.

17           CIVIL CASE NO.: 3:17-CV-01040  
18           JUDGE TRAUGER

19  
20           **FILED IN CAMERA**  
21           **AND FILED UNDER SEAL**

22           DECLARATION OF COUNSEL IN  
23           SUPPORT OF MOTION FOR  
24           EXENSION OF (1) TIME TO ELECT  
25           TO INTERVENE AND (2) THE SEAL

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I, KARL SLOAN, declare as follows:

1. I am an Assistant Washington State Attorney General, representing the State of  
2. Washington in the above referenced matter.
3. That on October 3, 2017, pursuant to 31 U.S.C. § 3730(b)(3), the United States of  
4. America moved for an order for an extension of time of 180 days, up to and including  
5. April 10, 2018, for the United States to consider whether to intervene in the above-  
6. captioned qui tam action, and for the Complaint and other filings to remain under seal  
7. until further order of this Court. The motion on October 3, 2017, was the first request  
8. for an extension by the United States.
9. That according to the motion filed by the United States, the Relator, through counsel,  
10. concurred with the request.

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12           DECLARATION IN SUPPORT OF  
13           MOTION FOR (1) TIME TO ELECT TO  
14           INTERVENE AND (2) THE SEAL

15           NO. 3:17-cv-01040

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17           ATTORNEY GENERAL OF WASHINGTON  
18           Medicaid Fraud Control Unit  
19           PO Box 40114  
20           Olympia, WA 98504-0114  
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- 1       4. Because the Relator's Complaint invoked both the False Claims Act, 31 U.S.C. § 3729-  
2       3732 and the Washington State Medicaid Fraud False Claims Act, RCW § 74.66.005 *et*  
3       *seq.*, the State of Washington is coordinating its investigative efforts with the United  
4       States. Assistant U.S. Attorney Jason Ehrlinspiel represents the United States in this  
5       matter.
- 6       5. That pursuant to the Washington False Claims Act, RCW 74.66.050(3), the State of  
7       Washington submits this Declaration in support of its motion for an Order for an  
8       Extension from October 10, 2017, to and including April 10, 2018, in which to notify  
9       this Court of its decision whether to intervene in the above-referenced False Claims  
10      Complaint for *qui tam* action, and during which time the complaint and all other related  
11      filings shall remain under seal.
- 12      6. That the State of Washington initially received a copy of a draft complaint, indicating  
13      the matter was to be filed in U.S. District Court for the Eastern District of Washington.  
14      The attorney for the State subsequently learned the Complaint was filed in U.S. District  
15      Court for the Middle District of Tennessee.
- 16      7. That the Relator provided the United States and State of Washington over 300 pages of  
17      attachments to the Original Disclosure Statement. The Relator asserts the defendant  
18      submitted thousands of claims in violation of the False Claims Act over a span of years,  
19      from 2010 to 2017.
- 20      8. That the investigation is in its initial stage. The Relator is cooperating with the  
21      investigation, and the first interview with the Relator is scheduled for October 24, 2017.
- 22      9. That significant additional investigation is necessary to fully investigate the Relator's  
23      allegations as they pertain to the State's highly complex Medicaid program. The  
24      additional investigation is necessary before the State of Washington can determine  
25      whether to intervene in the matter. Accordingly, the requested extension is necessary  
26      to continue the investigation.

- 1      10. That this is the first extension that the State of Washington has requested in this case.  
2      11. That the language of RCW § 74.66.050(3), parallels the language of 31 U.S.C. §  
3            3730(b)(3), and good cause exists for the requested extension.

4            I declare under penalty of perjury under the laws of the State of Washington that the  
5 foregoing is true and correct.

6            Executed this 5<sup>th</sup> day of October, 2017, Olympia, Washington.

7            ROBERT W. FERGUSON  
8            Attorney General



9            KARL SLOAN, WSBA #27217  
10            Assistant Attorney General  
11            Medicaid Fraud Control Unit

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